

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

KEVIN STERK and JIAH CHUNG,)
individually, and on behalf of a class of)
similarly situated individuals,)
v.) Case No. 11-cv-01729
Plaintiffs,)
) The Honorable Matthew F. Kennelly
REDBOX AUTOMATED RETAIL, LLC,)
a Delaware limited liability company,)
Defendant.)

PROPOSED JOINT AMENDED SCHEDULING ORDER

Pursuant to Federal Rules of Civil Procedure 26(f) and 16(b), Plaintiffs Kevin Sterk and Jiah Chung (“Plaintiffs”), and Defendant Redbox Automated Retail, LLC (“Defendant”) (collectively, the “Parties”), hereby submit their Proposed Joint Amended Scheduling Order regarding this matter that would amend the dates currently set forth in the Court’s December 21, 2011 Minute Entry (Doc. 81):

1. The Parties have met and conferred regarding scheduling issues on several occasions throughout this litigation, including most recently on July 30, 2012 to discuss this Proposed Joint Amended Scheduling Order. The Parties have agreed to jointly propose the below scheduling order to amend the current schedule in light of this Court’s July 23, 2012 ruling.

2. The Parties propose a short stay of discovery from the present time for approximately 30 days until August 31, 2012 to allow the Parties to discuss the possibility of resolution of this matter in light of this Court’s recent ruling.

3. After that short stay period ends, if the matter is not resolved, the discovery schedule would then automatically commence on August 31, 2012 for discovery on class

certification issues related to the “retention” claims. That discovery period for class certification related “retention” issues would last for approximately 120 days, which is consistent with the initial period set for the “disclosure” claims in this Court’s December 21, 2011 Scheduling Order. The discovery relating to the “disclosure” claims, which has been on-going since December of 2011, will end on August 13, 2012, except that the Parties have agreed to allow the depositions of the two Plaintiffs; Nick Lullo, a Redbox employee; and a Rule 30(b)(6) deposition from a third-party named Stream International, Inc. to occur after the August 13, 2012 cutoff date, subject to any substantive objections that may be raised.

4. After the discovery period on the “retention” claims is completed, the schedule would allow for a period for class-related expert discovery and class certification briefing that is consistent with the time periods provided for in the current scheduling order in this matter.

5. Consistent with the above agreements, the Parties propose the following deadlines to amend the current schedule in this matter:

Due Date	Event
Now to August 31, 2012	Discovery stay pending settlement discussions.
December 11, 2012	Deadline to complete non-expert class-related discovery on retention claims.
January 18, 2013	Deadline for Plaintiffs’ class certification expert disclosures.
March 1, 2013	Deadline for Defendant’s class certification expert disclosures.
April 12, 2013	Deadline for expert class-related discovery.
May 10, 2013	Deadline to file Motion for Class Certification.
June 21, 2013	Deadline to file Opposition to Motion for Class Certification.

Due Date	Event
July 12, 2013	Deadline to file Reply in Support of Motion for Class Certification.
TBD	Ruling date on Class Certification.
December 20, 2013	Deadline to complete fact discovery on merits.
January 24, 2014	Rule 26(a)(2) disclosures on merits due for Plaintiffs.
February 28, 2014	Rule 26(a)(2) disclosures on merits due for Redbox.
April 18, 2014	Deadline to complete expert discovery on merits.
June 13, 2014	Deadline for dispositive motions.

Dated: August 1, 2012

By: /s/ Rafey S. Balabanian

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Dated: August 1, 2012

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CERTIFICATE OF SERVICE

I, Anthony T. Eliseuson, an attorney, hereby certify that on August 1, 2012, I electronically filed the preceding with the Clerk of Court using the CM/ECF system, which will send notification of such filing(s) to the following:

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